



PATENT
Attorney Docket No. 1228/US/1
Express Mail Label No. EV 447 215 138 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

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| First Named Inventor | : Paul J. CORNAY | |
| Appln. No. | : 09/828,296 | Confirmation No: 7758 |
| Filed | : 4/6/2001 | Group Art Unit: 1723 |
| Title | : CONCENTRIC TUBULAR CENTRIFUGE | Examiner: Charles E. Cooley |

Petition Under 37 CFR §1.313(c)(2) to Withdraw Application from Issue

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is a petition to withdraw the current application, U.S. Patent Application Serial No. 09/828,296, from issue pursuant to 37 C.F.R. § 1.313(c)(2). The issue fee was paid September 14, 2004. The Assignee has consulted the Patent Application Information Retrieval service, and no issue date is presently indicated. The Assignee hereby petitions to withdraw this application in consideration of a Request for Continued Examination under 37 C.F.R. § 1.114, filed contemporaneously herewith.

In support of this petition, withdrawal of the application from issue is necessary in order for the Assignee to petition the Office under 37 C.F.R. § 1.78(a)(6) to accept an unintentionally delayed claim under 35 U.S.C. § 119(e) for the benefit of a prior filed provisional application. The petition under 37 C.F.R. § 1.78(a)(6) is filed contemporaneously herewith. An amendment to the specification of the current application correcting this oversight in priority claim is also filed contemporaneously herewith in support of the petition under 37 C.F.R. § 1.78(a)(6).

Accordingly, the Assignee respectfully requests this petition be accepted under 37 C.F.R. § 1.313(c)(2).

Please charge Deposit Account No. 04-1415 the amount of \$130.00 for the petition. Should any additional fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

If the Examiner should have any questions, please contact the undersigned attorney.

Dated: 22 November 2004

Respectfully submitted,



S. Craig Hemenway, Registration No. 44,798
Attorney for Applicant
USPTO Customer No. 20686

DORSEY & WHITNEY LLP
370 Seventeenth Street, Suite 4700
Denver, Colorado 80202-5647
Tel: 303-629-3400
Fax: 303-629-3450

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